

# S U M M A R Y   A C T I O N   M I N U T E S



## REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

*Tuesday, January 25, 2005, 9:30 A.M.*

BOARD HEARING ROOM, FIRST FLOOR  
10 Civic Center Plaza  
Santa Ana, California

**BILL CAMPBELL**  
CHAIRMAN  
Third District

**THOMAS W. WILSON**  
VICE CHAIRMAN  
Fifth District

**LOU CORREA**  
SUPERVISOR  
First District

**JAMES W. SILVA**  
SUPERVISOR  
Second District

**CHRIS NORBY**  
SUPERVISOR  
Fourth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Thomas G. Mauk
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Susan Novak, Chief Deputy

INVOCATION: Supervisor Wilson, Fifth District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Norby, Fourth District, led the assembly in the Pledge of Allegiance

### **I. PRESENTATIONS/INTRODUCTIONS**

Chairman Campbell presented his 2005 Goals

Resources and Development Management Department gave update on recent storm events and Chairman Campbell and Supervisor Wilson recognized the efforts of County departments and their staff

### **II. CONSENT CALENDAR (Items 1-31)**

54123      **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 19, 26 & 30  
WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

### **BOARD APPOINTMENTS**

1.      **Supervisor Silva** - Waste Management Commission - Reappoint Harry Dotson, Stanton, for term ending 1/31/07 and James Wahner, Costa Mesa, for term ending 1/20/07
2.      **Chairman Campbell** - Approve 2005 Chairman's appointments of Board members to various Boards, Commissions and Committees

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## DEPARTMENT APPOINTMENTS

3.           **Health Care Agency** - Emergency Medical Care Committee - Appoint James Michael Ellis, Costa Mesa, to complete term ending 6/30/06 - All Districts

## COMMENDATIONS/PROCLAMATIONS

### **Supervisor Correa:**

4.           Adopt resolution commending Santa Ana College Men's Soccer Team for an outstanding season  
*RESO: 05-013*
5.           Adopt resolution for Officer Steven Phillips of Westminster Police Department who lost his life in the line of duty  
*RESO: 05-014*

## HEALTH CARE AGENCY

6.           Approve amended price agreement S1000000284 with Creative Socio-Medics Corporation for software support and conversion services, 3/1/05 - 12/31/05 (\$155,310; new total \$295,089) - All Districts
7.           Approve amended master agreement with various providers of Post Custody Re-Entry Services for Substance Abusers, 7/1/04 - 6/30/05 (\$207,459; new total \$486,796); and authorize Director or designee to execute individual agreements - All Districts
8.           Approve price agreement N4000004115 with Action 1st Loss Prevention for locksmith services, 2/1/05 - 11/30/05 (\$20,000) - All Districts

## INTEGRATED WASTE MANAGEMENT DEPARTMENT

9.           Select P & D Environmental team as primary and Environmental Science Associates, Inc., as alternate firms to provide services for California Environmental Quality Act documentation, Master Development Plan permitting and resources agency permitting at Frank R. Bowerman Landfill; and authorize negotiation of agreement for Board approval - District 3

## RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

10.          Approve price agreement N1000006449 with GBS Cleaning Services, Inc. for janitorial services, Sunset Marina Harbor Patrol Office and Sunset Beach restrooms, 3/1/05 - 2/28/06 (\$20,100); renewable for two additional years; and make California Environmental Quality Act findings - District 2
11.          Accept work with Micon Construction Inc. for ADA Playground Equipment Replacement, O'Neill Regional Park, project completed 11/24/04 (\$132,181) - District 3
12.          Receive and file Traffic Committee Reports dated 11/18/04; and approve recommendations - Districts 1, 3 and 5

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13. Approve amendment 2 to operating agreement with Dana Point Marina Company, LLC for operation of guest docks in Dana Point Harbor; and adopt resolution amending Harbors, Beaches and Parks fee schedule - District 5 (Continued from 11/23/04, Item 15; 12/7/04, Item 16; 12/14/04, Item 16; 12/21/04, Item 27; 1/11/05, Item 12)  
*RESO: 05-015*
14. Approve amendment to second amended and restated Irrevocable Offer of Dedication and Quitclaim agreement for Los Trancos, Buck Gully and other lands; and approve amendment to amended and restated Irrevocable Offer of Dedication for Muddy Canyon with The Irvine Company, Laguna Coast Wilderness Park - District 5
15. Accept work with Casron Services Corporation for ADA playground equipment replacement, Caspers Wilderness Park, project completed 12/15/04 (\$182,718) - District 5
16. Approve amendment 2 to sublease with Sunset Aquatic Park, Ltd., and Sunset Aquatic Marine Center, Ltd., for the Sunset Aquatic Shipyard, Sunset Harbour Marina – District 2
17. Approve agreement with 30th Street Architects for restoration of the Stone Building, Modjeska Historic Park (\$49,500) - District 3
18. **Acting as the Board of Supervisors and Orange County Flood Control District** - Approve in concept the Peters Canyon Channel Bicycle and Trail Undercrossings project, Irvine; and find that Negative Declaration IP 04-230 is adequate to satisfy requirements of California Environmental Quality Act - District 3

## **PUBLIC PROTECTION**

19. **District Attorney** - Approve Memorandum of Understanding with Ray of Life Foundation to accept donation of two Automated External Defibrillators (AEDs) and training of 12 people for use of machines, effective 2/1/05; authorize purchase of one AED (\$2,000) and training and authorize additional purchases for locations in future years under certain conditions - All Districts  
43125 **APPROVED AS RECOMMENDED**

20. **Probation** - Approve subordinate price agreement N1000006475 to CEO master agreement X1000000290 with Alex Moving & Storage for moving services, 2/1/05 - 10/31/05 (\$20,800); renewable for four additional years (\$25,000 per year); and make California Environmental Quality Act findings - All Districts

### **Sheriff-Coroner:**

21. Approve price agreement N1000006453 with Helistream Incorporated for provision of helicopter flight training services, 2/1/05 - 1/31/06 (\$40,000); renewable for two additional years - All Districts
22. Approve agreement 04-011-039 with State of California to provide coroner training courses for Commission on Peace Officer Standards and Training (POST), 9/1/04 - 6/30/05 (\$84,000) - All Districts
23. Approve price agreement N1000006519 with Full Spectrum Analytics, Inc., for maintenance of Hewlett-Packard chromatographic hardware, 2/1/05 - 1/31/06 (\$49,056); renewable for two additional years - All Districts

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24. Approve price agreement N1000006520 with Column Technologies, Inc., for software support/maintenance, 2/1/05 - 1/31/06 (\$22,559); renewable for two additional years - All Districts
25. Approve purchase order PC060P0500004789 for purchase of unbudgeted specialized surveillance equipment (\$21,512) - All Districts

## **GENERAL ADMINISTRATION**

26. **Auditor-Controller** - Authorize relief of accountability to Chief Probation Officer and reimbursement to Probation Department for cash loss of \$365.42 - All Districts
- 41253 **APPROVED AS RECOMMENDED**
27. **Clerk of the Board** - Approve proposed amendments to the Conflict of Interest Code designated filer exhibits for the Children and Families Commission of Orange County and the Public Cable Television Authority - All Districts

### **County Executive Office:**

28. Approve price agreement N1000006555 with JRH Golden State Software, Inc. for software support, 2/1/05 - 1/31/06 (\$18,000); renewable for four additional years - All Districts
29. Approve price agreement N1000006513 with Marlin Alliance, Inc. for consultant services to assist with Health Insurance Portability and Accountability Act Security Rule, 1/25/05 - 6/30/05 (\$220,000) - All Districts
30. **Registrar of Voters** - Discussion on all Current federal and state laws and regulations concerning the Administration of Elections - All Districts
- 41253 **APPROVED AS RECOMMENDED**

## **EXTERNAL RESTRUCTURING PROGRAM FOR THE COUNTY OF ORANGE**

31. **County Executive Office** - Receive and file External Restructuring Report for County of Orange - All Districts

**END OF CONSENT CALENDAR**

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## III. DISCUSSION ITEMS (Items 32-S42A)

### HEALTH CARE AGENCY

32.            Approve agreement 04-35889 with State Department of Health Services for California Nutrition Network, 1/1/05 - 9/30/07 (\$2,116,875); and approve Certification Clauses Form CCC-304 - All Districts  
42153        **APPROVED AS RECOMMENDED**

### JOHN WAYNE AIRPORT

33.            Select Orange County Teachers Federal Credit Union for ATM concession services; and make California Environmental Quality Act and other findings - District 2  
24153        **APPROVED AS RECOMMENDED**

### PUBLIC PROTECTION

34.            **Probation** - Approve agreement with Aspen Community Services for provision of comprehensive employment services for West Orange County Youth and Family Resource Center, 2/1/05 - 6/31/06 (\$228,785); renewable for two additional years (\$232,771 second year; \$236,821 third year); and make California Environmental Quality Act findings - District 1  
14253        **APPROVED AS RECOMMENDED**
35.            **Sheriff-Coroner** - Consider second reading and adoption of "An Ordinance of the County of Orange, California Repealing and Replacing Section 3-1-3 of the Codified Ordinances of the County of Orange on the Establishment and Membership of the Emergency Management Council"; and adopt resolution establishing membership of Emergency Management Council, which shall rescind prior Resolution 01-212 - All Districts (Continued from 1/11/05, Item 40)  
51243        **APPROVED AS RECOMMENDED**  
              *RESO: 05-016*  
              *ORD: 05-001*

### GENERAL ADMINISTRATION

#### **County Executive Office:**

36.            Approve salary schedules relating to certain represented and unrepresented management employees - All Districts (Continued RA 1 from 11/23/04, Item 60; 12/7/04, Item 46; 12/21/04, Item 68)  
45123        **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF LAW ENFORCEMENT MANAGEMENT WHICH IS CONTINUED TO 2/8/05, 9:30 A.M.**
37.            Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts  
              **DISCUSSED**
38.            Receive presentation on status of County Facilities Master Plan; approve Request for Proposals for solicitation of County's Master Facilities Plan - All Districts  
42153        **CONTINUED TO 2/1/05, 9:30 A.M.**

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## **Human Resources:**

- 39 .                      Receive and file Status Report for Managed Retirement Planning - All Districts  
B.O.                      **RECEIVED AND FILED**
- 40 .                      Approve price agreement N5000006517 with various providers to renew Temporary Help  
52143                      services, 2/1/05 - 1/31/06 (\$2,500,000) - All Districts  
                             **APPROVED AS RECOMMENDED**
- 41 .                      Approve price agreement N1000006529 with NEOGOV, Inc. for Online Recruiting and  
34125                      Applicant Tracking System, 1/25/05 - 1/24/08 (\$175,000); renewable for two additional  
                             years (\$35,000 per year); authorize Purchasing Agent to execute Preferred Escrow  
                             agreement with DSI Technology Escrow Services, Inc. for software holding service - All  
                             Districts  
                             **APPROVED AS MODIFIED TO REQUIRE BOARD APPROVAL OF RENEWALS**  
                             **AND DIRECTING STAFF TO PROVIDE ANNUAL STATUS REPORT ON**  
                             **IMPLEMENTATION AND USE OF SYSTEM**
- 42 .                      **Internal Audit** - Presentation of Internal Audit Department Monthly Audit Activity Status Report  
                             for December 2004 - All Districts  
                             **PRESENTED**

## **RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT**

- S42A .                      Receive and file status report on Emergency Declaration - Storm Repair and continue declaration  
52143                      of Local State of Emergency to 2/8/05, 9:30 a.m. (4/5 vote) - All Districts  
                             **APPROVED AS RECOMMENDED**

## **IV. PUBLIC HEARINGS (Items 43-44)**

### **GENERAL ADMINISTRATION**

- 43 .                      **Orange County Public Library** - Public Hearing to consider approving plans and specifications  
                             and award contract to SunWize Technologies, LLC for construction and installation of new solar  
                             array and shade structure, Foothill Ranch Library (\$463,370); and make California Environmental  
                             Quality Act and other findings - District 5  
B.O.                      **CLOSED PUBLIC HEARING**
- 52143                      **APPROVED AS RECOMMENDED**

### **HEALTH CARE AGENCY**

- 44 .                      Public Hearing to receive public testimony on sale of four Tenet Hospitals in Orange County and  
                             direct staff to forward comments to State authorities - All Districts  
B.O.                      **CLOSED PUBLIC HEARING**
- 43125                      **APPROVED AS RECOMMENDED**

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## V. CLOSED SESSION (Items CS-1-CS-5)

### GENERAL ADMINISTRATION

#### **County Counsel:**

- CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Name of Case: Barry Adams v. County of Orange, AHM 0111662
- B.O. **HELD, NO REPORTABLE ACTION**
- CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Name of Case: Joan Garcia v. County of Orange
- B.O. **HELD, THE CLERK READ: THE BOARD BY UNANIMOUS VOTE, SUPERVISOR NORBY BEING ABSENT, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF JOAN GARCIA V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**
- CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Name of Cases: County v. State of California, San Diego Superior Court Case Number GIC827845 and County v. State of California, Sacramento Superior Court Case Number 04AS01341
- B.O. **HELD, NO REPORTABLE ACTION**
- CS-4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b): Number of Cases: One Case
- B.O. **HELD, NO REPORTABLE ACTION**
- CS-5. **County Executive Office** - CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6: Agency Negotiator: Susan Paul Employee Organization: Orange County Employees Association and Association of Orange County Deputy Sheriffs and certain unrepresented employees
- B.O. **HELD, NO REPORTABLE ACTION**

## VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

### **PUBLIC COMMENTS:**

Larry Lavin - Oral Re: District Attorney's activities

Darrell Nolta - Oral Re: Public members selected by OCTA; and Fire Authority ambulance contracts

### **BOARD COMMENTS:**

Chairman Campbell - Oral Re: LA Times article on ambulance services and concerns about not honoring contract obligations.

Supervisor Correa - Oral Re: Balancing cost savings with provision of health care; and looking for volunteers to count the homeless.

### **ADJOURNED: 3:15 P.M.**

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- 43125      Adjourned in memory of William H. Wickett, Jr., M.D.
- 13245      Adjourned in memory of Clarence B. "Lee" Leyes
- 35124      Adjourned in memory of John Patino

## \*\*\* KEY \*\*\*

### *Left Margin Notes*

- 1. = Supervisor Correa
- 2. = Supervisor Silva
- 3. = Chairman Campbell
- 4. = Supervisor Norby
- 5. = Supervisor Wilson

### *Right Margin Notes*

- A. = Abstained
- X. = Excused
- N. = No
- BO = Board Order
- O. = Ordinance
- R. = Resolution

*Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)*

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*BILL CAMPBELL, CHAIRMAN*  
*Orange County Board of Supervisors*

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*DARLENE J. BLOOM*  
*Orange County Clerk of the Board*